

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DR. MY HANG HUYNH,

Plaintiff,

vs.

Civ. No. 10-276 JH/RHS

LIBERTY LIFE ASSURANCE
COMPANY OF BOSTON,

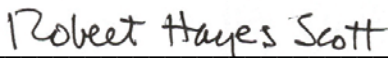
Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART
JOINT MOTION TO RESCHEDULE SETTLEMENT CONFERENCE
AND JOINT MOTION TO MODIFY SCHEDULING ORDER**

THIS MATTER comes before the Court on the Joint Motion to Reschedule Settlement Conference and Joint Motion to Modify Scheduling Order [docket no. 43]. The Court has now considered the Motion and concludes that it should be granted in part and denied in part as more fully contained herein. Trial on the merits is presently set for August 15, 2011, before the Honorable Judith C. Herrera. The undersigned has set a settlement conference for May 10, 2011, however, the representative necessary to be in attendance for the Defendant has a preexisting business commitment on May 10-12, 2011. The Court will therefore agree to vacate that settlement conference but will reset the same for Friday, May 20, 2011, at 9:00 a.m. To that extent the Motion should be granted, however, the request that the case management deadline for the filing of pretrial motions and a proposed Pretrial Order is not well-taken and should be denied. It will be necessary to extend the pretrial motion deadline as that date has now come and past.

IT IS THEREFORE ORDERED that the Joint Motion to Reschedule Settlement Conference and Joint Motion to Modify Scheduling Order [docket no. 43] is hereby granted in part and denied in part as follows:

1. The settlement conference scheduled for May 10, 2011, at 9:00 a.m. is hereby vacated.
2. The settlement conference is reset for May 20, 2011, at 9:00 a.m. and all of the terms and conditions of the Order setting the previous settlement conference (docket no. 42) are hereby ratified and affirmed.
3. To the extent that counsel seek an extension for the submission of a Pretrial Order which is due May 23, 2011, that request is hereby denied.
4. To the extent that counsel seek an extension of the case management deadline for the filing of pretrial motions, that request is denied, however, the Court recognizes that March 7, 2011, has now come and past and a brief extension is necessary to accommodate the parties in the event they wish to file pretrial motions. Therefore, the Court sets the deadline for the filing of pretrial motions as April 1, 2011.



ROBERT HAYES SCOTT
UNITED STATES MAGISTRATE JUDGE